

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

vs.

Case No. 19-CR-10146-IT

SYRUS HAMPTON

**AFFIDAVIT OF SPECIAL AGENT LISA RUDNICKI**

I, Lisa Rudnicki, do hereby depose and state as follows under the pains and penalties of perjury:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives (“ATF”) and have been assigned to work on the above-referenced case.
2. The statements contained in this affidavit are based on my own investigation, work done by other ATF Agents, and on information provided to me by officers of the Boston Police Department (“BPD”) and others.
3. Based on my conversations with the BPD officers involved in the arrest of Syrus Hampton on January 25, 2019, I expect that they would testify generally consistently with the description of events described in the police report. I further expect they would testify:
  - a. Around 9:36pm on January 25, 2019, the officers observed the charcoal gray Dodge minivan displaying Ohio. Reg. FZB5983 operating without its lights on in violation of Massachusetts law.
  - b. Prior to stopping the minivan, the officers did not know who was driving it.
  - c. When the officers first approached the car, they explained to the operator, Hampton, that he had been stopped because his headlights were not on. Officer Nemes

pointed to a dial to the left of the steering wheel, and told Hampton that he had to turn that dial to turn on the headlights. Hampton then turned the dial to turn on the lights and said something to the effect of, "Oh, yeah, thank you." Thereafter Officer Kennedy returned to the cruiser to check Hampton's driver's license, as described in the police report.

- d. In addition to checking Hampton's driver's license, Officer Kennedy also checked his name against the BPD's Boston Regional Intelligence Center gang database, and learned that Hampton was listed as a verified member of the Crown Path gang. Officer Kennedy told the other officers about both Hampton's gang membership and his suspended license.

4. I obtained a copy of the 2018 Dodge Caravan Owner's Manual. Attached as Exhibit 1 are excerpts from that manual relating to headlights and tail lights.

5. The minivan Hampton was operating on January 25, 2019, was a rental car with VIN 2C4RDGEG6JR249386. The minivan had been rented on January 14, 2019 by another individual with the same residential address as the one Hampton provided to police on January 25.

6. In October 2019, I was able to locate the minivan. It had been sold by the rental car company to a used car dealer, and was listed for sale at Fafama Auto Sales in Milford, Massachusetts. Attached as Exhibit 2 is a copy of the internet listing for the minivan as of October 24, 2019.

7. I traveled to Fafama Auto Sales on October 24, 2019, examined the minivan, and spoke with the dealership manager regarding its specifications.

8. The minivan is equipped with daytime running lights ("DRL"). DRL provide illumination at less than half of normal density. As described more fully below, if the headlights

are set to “OFF,” DRL will only illuminate the front headlights at half density, and will not illuminate the tail lights at all.

9. I observed the multi-function light dial located to the left of the steering wheel and instrument panel. Attached as Exhibit 3 is a photograph of the dial, designated by an icon of a light bulb on the far left. There are four options on the dial. Looking from left to right, the first option, “AUTO,” causes the headlights to automatically illuminate according to ambient light levels. The second option, designated by a circle icon, designates “OFF,” and turns lights off completely, with the exception of the front DRL that provide illumination at less than half of normal density; in the “OFF” position, the rear DRL will not illuminate. The third option is for parking lights, and the fourth option is an “ON” option to manually activate the headlights if not using AUTO. In the center of the light switch is an option to PUSH, which turns the fog lights on.

10. The manager also informed me that the front DRL are deactivated while the parking brake is applied; the manual (p. 58) indicates that all DRL will turn off when the parking brake is applied.

11. With the assistance of the manager, I tested the different light switch options and took photos of the headlights under different light settings.

12. Attached as Exhibit 4 is a photograph of the front of the minivan with front DRL illuminated.

13. Attached as Exhibit 5 is a photograph of the front of the minivan with both headlights and front DRL illuminated.

14. Attached as Exhibit 6 is a photograph of the front of the minivan with headlights, front DRL, and fog lights illuminated.

15. Attached as Exhibit 7 is a photograph of the back of the minivan with the brakes

activated, such that the rear DRL are deactivated.

16. Attached as Exhibit 8 is a photograph of the back of the minivan with the engine on, but headlights set to "OFF," such that neither the tail lights nor the rear DRL are illuminated.

Sworn to under the pains and penalties of perjury.



Special Agent Lisa Rudnicki  
Bureau of Alcohol, Tobacco,  
Firearms and Explosives

Dated: November 12, 2019

**CERTIFICATE OF SERVICE**

Undersigned counsel certifies that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

*/s/ Elianna J. Nuzum*

Elianna J. Nuzum  
Assistant United States Attorney

Dated: November 12, 2019